

To: Representative Diane Rice, Chair, of the Judiciary Committee and the Judiciary Committee Representatives

From: Randy Baldwin, Coordinator, Lower Yellowstone Chapter of American Bikers Aiming Toward Education, 312 S. Rosser, Glendive, MT 59330

Re: Opposition to HB534, Mandatory Motorcycle Helmets For Adult Motorcycle/Quadracycles.

Testimony: My name is Randy Baldwin and in opposing HB 534 I represent myself and the 250 members of the, Lower Yellowstone Chapter of American Bikers Aiming Toward Education (LY chapter of ABATE), in the Sidney/Glendive Area. We oppose this bill for the following reasons.

We can argue statistics all day and I would be happy to do that as we all can find whatever statistic fits our argument. I am only opposing this legislation today on the grounds of an individual's right to choose, discrimination and alternative safety programs. Freedom is what this great nation was founded on and the great State of Montana has always been about.

We oppose this bill for the following reasons:

Freedom of Choice: ABATE is not opposed to Helmet usage and we do not discourage helmet usage; we are only opposed to mandated legislation. Many of our members choose to wear helmets. One of ABATE's missions is to support and promote the **MONTANA MOTORCYCLE SAFETY EDUCATION PROGRAM**, which promotes helmet usage and motorcycle safety awareness.

Discrimination: In watching other legislation this session, many bills are drafted promoting additional compensation for insurance and health care to some classes of citizens, a state earned income credit to some at a cost of 18 million dollars to the State and other such bills that offer to help some groups of people. Then we have this bill, HB 534, that limits a small group of people's freedoms, using the argument that the State may save some money. This assumes that motorcyclists do not have insurance and that we will be having a great many accidents causing head injuries. I find that the majority of motorcyclists that I know carry insurance and do take responsibility for their own actions.

I find it very ironic that the people that requested and are sponsoring this bill are very active with a woman's right to choose but are against a motorcyclists right to choose.

Safety and Education: Montana has an excellent Motorcycle safety program. **Montana Motorcycle Safety Education Program (MMSEP)**, administered by MSU-Northern. Motorcycle registration includes an \$8.00 fee to fund this program. I personally would be willing to pay much more in registration fees if it goes to this program to educate riders in proper riding techniques. Currently a motorcycle that is capable of speeds in excess of

150 miles per hour can be sold to anyone with or without experience. Will a helmet save them? NO, education and experience would help.

The LY chapter of ABATE is very active in supporting and promoting the MMSEP program, which promotes helmet usage. Currently we raise and spend approximately \$3,000.00 per year for promotion of this safety education in advertising and purchasing of classes for Eastern Montana. We have for the past few years been able to help with the training of 24 riders per year in this part of the State. We feel that **Montana Motorcycle Safety Education Program** should be actively promoted in the driver education program at the schools which we do not feel is being done at this point.

The real issue in safety is education not mandatory laws. We as ABATE members will do all we can to actively promote education, we ask that you do not support legislation limiting our personal freedoms.

As Ben Franklin stated, "Those who would give up essential liberty to purchase a little temporary safety, deserve neither liberty nor safety".

Thank you for your consideration in this matter.